

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

HOSEA L. ROBINSON, SR.,

Plaintiff,

v.

STATE OF MISSOURI, et al.,

Defendants.

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No. 4:18-CV-1232 SNLJ

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's motion for writ of mandamus. Plaintiff was ordered on August 14, 2018, to file an amended complaint on a court-provided form. Instead of complying with this Court's Memorandum and Order, he has filed a separate "motion for of mandamus to compel ruling," which includes allegations against defendants that should be included in an amended complaint. This is not the first time plaintiff has disobeyed this Court's Order. On August 22, 2018, plaintiff filed a "motion for sanctions," which also contained information that should be contained in an amended complaint.

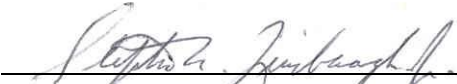
In the instant "motion for writ of mandamus," plaintiff seeks injunctive relief against defendants for purportedly violating the Americans with Disabilities Act ("ADA"). Plaintiff also claims that defendants have violated his "due process rights." This Court cannot grant injunctive relief that is inconsistent with relief requested within a plaintiff's complaint, and at this time plaintiff is under a Court Order to amend his complaint. Nothing in plaintiff's stand-alone "motion for mandamus" indicates that plaintiff is under immediate danger such that he should be allowed to disregard this Court's August 14, 2018 Memorandum and Order requiring him to submit an amended complaint in this action. Therefore, the Court will once again order plaintiff

to submit an amended pleading on a court-provided form and remind plaintiff that the Court does not accept amendments by interlineation or supplementation. *Popoalii v. Correctional Medical Services*, 512 F.3d 488, 497 (8th Cir.2008) (finding that it is appropriate to deny leave to amend a complaint when a proposed amendment was not submitted with the motion). Therefore, plaintiff's motion for mandamus will be denied.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for writ of mandamus [Doc. #9] is **DENIED**.

Dated this 6<sup>th</sup> day of September, 2018.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE